

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:99CR123</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>DONALD A. McPHERSON,</b>	)	
	)	
<b>Defendant.</b>	)	

Defendant's motion to continue (Filing No. 16) is granted.

**IT IS ORDERED** that the Change of Plea hearing is continued to **September 16, 2005** at **2:00 p.m.** before Magistrate Judge Thomas D. Thalken, Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

For this defendant, the time between **September 7, 2005** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present unless excused by the Court.

DATED this 7th day of September, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge